

REMARKS/ARGUMENTS

As stated above, Applicants elect Species I, as shown in FIGS. 1-6 with claims 1-20 readable thereon, and claim 1 being generic for both Species I and II, for further prosecution and respectfully traverse the requirement for restriction for the following reasons.

The essential features according to claim 1 that the electrode holders 6 and the electrodes 7 include means for guiding the strip 8 from the winding device 9 axially along the electrode holder 6 to the electrode 7, and again, axially along the electrode holder 6 back to the winding device 9, are realized in both embodiments according to FIGS. 1-6 and FIG. 7. The guide element 23 according to the FIG. 7 embodiment is not specifically recited in the claims as currently presented. Thus, it is respectfully submitted that to examine both embodiments of Species I and Species II in this application would be appropriate.

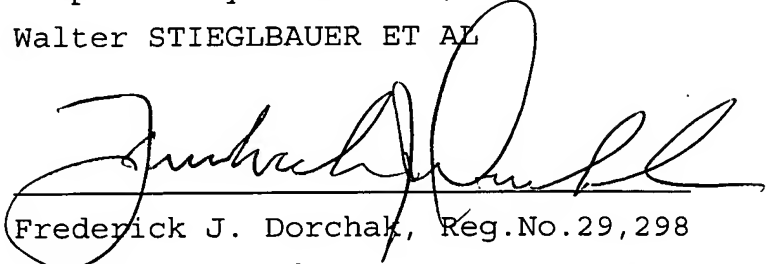
Moreover, it is believed that any search for the species embodied in Species I would necessarily include a search for the species embodied in Species II. Thus, the simultaneous search for both species is believed not to constitute an unreasonable search for the Patent Examiner.

In addition, it is believed that the objectives of streamlined examination and compact prosecution would be promoted if a search were conducted simultaneously for both species. Also, the necessity of filing multiple patent applications in this case does not serve to promote the public interest because of the extra expense that is involved, in filing fees and examination costs, as well as the burden upon the public, due to the necessity of searching through a multiplicity of patent files in order to find the complete range of the subject matter claimed in several different patents that could otherwise be found in one issued patent only.

Applicants reserve the right to file a divisional application for the non-elected species.

For all these reasons, it is respectfully requested that the restriction requirement under 35 U.S.C. 121 be withdrawn and that an action on the merits of both species be rendered.

Respectfully submitted,  
Walter STIEGLBAUER ET AL



Frederick J. Dorchak, Reg.No.29,298

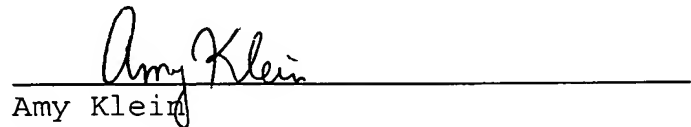
Edward R. Freedman, Reg.No.26,048

Attorneys for Applicants

COLLARD & ROE, P.C.  
1077 Northern Boulevard  
Roslyn, New York 11576  
(516) 365-9802

FJD:cmm

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 20, 2009.

  
Amy Klein